

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION
(at Cincinnati)

Carl Oeder & Sons Sand & Gravel, * Case No. C-1-01-826
A Division of Oeder & Sons Garage * District Judge Susan J. Dlott
Incorporated
and *
Timothy Browning * DISMISSAL ENTRY
Plaintiffs, *
v. *
Union Township, *
Defendant. *

Now come Plaintiffs Carl Oeder & Sons Sand & Gravel, a division of Oeder & Sons Garage Incorporated, and Timothy Browning and Defendant Union Township and hereby stipulate and agree to the dismissal of all claims against the Defendant with prejudice. Moreover, this dismissal is subject to the terms and conditions set forth in the *Agreed Judgment Entry and Consent Decree with Permanent Injunction* entered into between the parties. The parties shall bear their own attorneys' fees and costs.

Respectfully submitted,

BRADY, COYLE & SCHMIDT, LLP

By Patricia J. Kleeberger
Jack J. Brady (0010146)
TRIAL ATTORNEY
Email: jjbrady@bcslawyers.com
Brian P. Barger (0018908)
Email: bpbarger@bcslawyers.com
Patricia J. Kleeberger (0070068)
Email: pjkleeberger@bcslawyers.com
4052 Holland-Sylvania Road
Toledo, OH 43623
Telephone: (419) 885-3000
Facsimile: (419) 885-1120
Attorneys for Plaintiffs

FALKE & DENPHY LLC

By Patrick K. Dunphy
Patrick K. Dunphy (0017827)
TRIAL ATTORNEY
30 Wyoming Street
Dayton, Ohio 45409
Telephone: (937) 222-3000
Facsimile: (937) 222-14149
Attorney for Defendant Union Township

IT IS SO ORDERED.

Susan J. Dlott
Susan J. Dlott, United States District Judge